

# Local Agency Formation Commission

## Napa County / Subdivision of the State of California

We Manage Government Boundaries, Evaluate Municipal Services, and Protect Agriculture



### Planning for the present and future needs of the community.

Local Agency Formation Commissions (LAFCOs) provide regional growth management services in all 58 counties in California. The Legislature specifically tasks LAFCOs with overseeing the formation, revision, and – in some cases – elimination of local governmental agencies' boundaries and service areas for the purpose of facilitating appropriate urban uses while protecting against the premature conversion of agriculture and open-space resources. LAFCOs are also tasked with regularly preparing studies to independently evaluate the adequacy of local governmental services in addressing community needs.

## Agency Newsletter

### A YEAR IN REVIEW

The 2012 calendar year proved to be an eventful year for Napa LAFCO.

As detailed in this newsletter, and among other activities, Napa LAFCO approved the agency's first strategic plan, completed a long-awaited office relocation, prepared a municipal service review on countywide law enforcement services, and adopted sphere of influence updates for two special districts; the latter of which, notably, were prepared entirely in-house. Napa LAFCO also continued work in updating the agency's policies and procedures to improve and streamline the implementation of LAFCO law in Napa County. Proposal activity also began to pick up beginning in the middle of the calendar year after an extended slowdown tied to the recent recession with Napa LAFCO processing and approving two reorganizations and one outside service extension.

### LOOKING AHEAD TO 2013

It appears the 2013 calendar year will be equally eventful as Napa LAFCO is scheduled to prepare a study on the central county region. This study will be anchored by a municipal service review examining governmental services for an estimated resident population of 85,000 and will precede individual sphere of influence updates for the City of Napa, Congress Valley Water District, Napa Sanitation District, and Silverado Community Services District. Napa LAFCO is also expected to continue work in implementing an island annexation program with the City of Napa and completing an informational report of private community water systems. Proposal activity is also expected to increase as the economy continues to show signs of improvement.



#### Commission Roster

Brad Wagenknecht, Chair  
County of Napa

Brian J. Kelly, Vice Chair  
General Public

Joan Bennett  
City of American Canyon

Lewis Chilton  
Town of Yountville

Bill Dodd  
County of Napa

Juliana Inman / Alternate  
City of Napa

Mark Luce / Alternate  
County of Napa

Gregory Rodeno / Alternate  
General Public

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#### POINTS OF INTEREST

- Legislative Analyst's Office weighs in on Napa LAFCO
- Opportunities to improve and sustain law enforcement services
- Demystifying the cost and impact of island annexations
- Napa LAFCO's goals for the next two calendar years

January 2013  
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# LAO REVIEW OF NAPA LAFCO

LAO PROVIDES HIGH MARKS ON NAPA LAFCO; SUGGESTS ADDITIONAL LEGISLATION FOR LAFCOS GOING FORWARD



October 21, 2011

Hon. Roger Dickinson  
Assembly Member, 9<sup>th</sup> District  
Room 3126, State Capitol  
Sacramento, California 95814

Dear Assembly Member Dickinson:

#### Summary of Findings

You asked the Legislative Analyst's Office to evaluate three questions regarding the (1) efficiency of small special districts, (2) accountability of small special districts, and (3) effectiveness of Local Agency Formation Commissions (LAFCOs).

Our overall findings are as follows:

- We find evidence that in certain cases smaller districts can be less efficient and less accountable than larger districts. However, it is not clear that these associations between district size and efficiency or accountability are true for districts of all types or in all areas of the state. Instead, our analysis suggests that many factors affect the efficiency and accountability of special districts.
- We further find that the LAFCOs are generally well positioned to review the effectiveness and accountability of special districts, though their general approach to undertaking these reviews has some limitations. We also identify some barriers to the implementation of consolidation even when doing so makes analytical sense to the LAFCO.
- Finally, at your request, we offer some options for your consideration that we believe could promote better efficiency and accountability of special districts, as well as improve the LAFCO process.

#### Project Overview

Scope of Project: You asked us to answer three sets of questions:

- **Efficiency.** Are small special districts less efficient or effective than larger districts? Would consolidation of small districts with other special districts improve efficiency and effectiveness of service delivery? Do functional consolidations improve efficiency and effectiveness?
- **Accountability.** Are small special districts less accountable to the public than larger districts or general-purpose governments? Are small districts less transparent to their constituents?

*"Based on our site visits and reviews of various documents, we found the LAFCOs in Napa, San Diego and San Bernardino appear to be fulfilling their legislative mission. In each of these counties, the LAFCOs do the analysis of the services and boundaries, produce reports, and make specific recommendations designed to encourage orderly government. The work of these LAFCOs are deliberate and professional."*

The Legislative Analyst's Office (LAO) was established in the 1940s and is tasked with providing non-partisan analysis and advice on statewide governance issues to the California Legislature. In January 2012, and at the request of the Assembly Committee on Accountability and Administrative Review, LAO published a report analyzing the effectiveness of LAFCOs in overseeing special districts. LAO used a case-study approach and focused its analysis on evaluating the accountability of special districts and related oversight by LAFCOs in Napa, San Diego, and San Bernardino.

LAO's report includes two substantive findings. The first finding counters a common presumption and notes there is no clear association between district size and efficiency or accountability; a finding that serves as caution to consolidating special districts without clear evidence that creating one big special district is better than having two smaller special districts with respect to meeting the needs of a community. The second finding notes the three LAFCOs evaluated (Napa, San Diego, and San Bernardino) are appropriately positioned to assess and determine the effectiveness and accountability of special districts in their jurisdictions.

LAO's report also raises several policy questions for future consideration by the Legislature. This includes asking whether legislation is needed to direct LAFCOs to apply consistent statewide metrics of agency effectiveness and efficiency when preparing municipal service reviews. Napa LAFCO believes this direction would be problematic given the difficulty in incorporating and/or reconciling statewide performance standards with the local conditions — whether in the form of policies, preferences, or constraints — underlying regional service provision.

LAO also raises the question of whether joint-power authorities should become subject to LAFCOs' oversight and included in municipal service reviews. Given these arrangements have and will likely continue to assume more responsibilities in delivering essential municipal services in support of urban development, this type of legislation would appear beneficial so long as some discretion is afforded to LAFCOs. Specifically, if such legislation is pursued, it would appear appropriate to provide LAFCOs the discretion in determining which authorities' rise to levels warranting inclusion in a municipal service review since some function only to facilitate shared ownership in public facilities and equipment.

## MEET THE COMMISSION



#### Brad Wagenknecht, Chair

Brad has served on LAFCO as a county member since 2000. Brad was elected Supervisor for District One in 1999.



#### Brian J. Kelly, Vice Chair

Brian has served as a public member on LAFCO since 2005. Brian previously served as CEO for Charter Oak Bank and now operates a private consulting firm in Napa.



#### Joan Bennett, Regular

Joan has served on LAFCO as a city member since 2009. Joan is a Councilmember for the City of American Canyon having been first elected in 1992.



#### Lewis Chilton, Regular

Lewis has served on LAFCO as a city member since 2009. Lewis is a Councilmember for the Town of Yountville having been first elected in 2007.



#### Bill Dodd, Regular

Bill has served on LAFCO as a county member since 2003. Bill was elected as Supervisor for District Four in 2000.



#### Juliana Inman, Alternate

Juliana has served on LAFCO as a city member since 2007. Juliana is a Councilmember for the City of Napa having been first elected in 2006.



#### Mark Luce, Alternate

Mark has served on LAFCO as a county member since 2005. Mark was elected as Supervisor for District Two in 1997.



#### Gregory Rodeno, Alternate

Gregory has served as a public member on LAFCO since 2007. Gregory maintains a private law practice in Napa and a family-owned vineyard in Oakville.

**Napa LAFCO generally meets on the first Monday of every even-numbered month. Regular meetings begin at 4:00 P.M. in the County of Napa Administration Building's Supervisor Chambers on the third floor. Special meetings are scheduled as needed.**

# EXAMINING LAW ENFORCEMENT SERVICES IN NAPA COUNTY

## NAPA LAFCO COMPLETES STUDY ON LOCAL POLICE SERVICES

In June 2012, Napa LAFCO completed work on a countywide municipal service review on law enforcement. The municipal service review was prepared in-house and, among other considerations, evaluates the availability and adequacy of law enforcement provided by the six local service providers subject to Napa LAFCO oversight: (a) American Canyon; (b) Calistoga; (c) Napa; (d) St. Helena; (e) Yountville; and (f) County.

With respect to central issues identified, the municipal service review concludes local law enforcement services are effectively managed and largely responsive in meeting current community needs; needs that distinctly vary throughout the region based on policies, preferences, and demographics. The municipal service review also notes overall crime levels in Napa County are trending downward and the most serious offenses — violent — have decreased by nearly 20% over the last five reported years. Nonetheless, the municipal service review concludes there are three key issues underlying local law enforcement services going forward directly relevant to the region's growth management.

### • Approaching Tipping Point

The municipal service review substantiates there is an increasing fiscal pressure on local law enforcement agencies in keeping up with baseline costs; costs that are predominately dependent on an increasingly scarce source of general tax revenues. This dynamic suggests there may be an approaching “tipping point” in which current service levels will no longer be sustainable given agency-wide considerations. This latter comment appears particularly applicable to the two northern cities: Calistoga and St. Helena.

### • Growth Matters

The municipal service review demonstrates there are two key correlations between growth and crime in Napa County. First, crime totals over the last five reported years for each of the six affected agencies generally correspond with resident population changes. This point is highlighted by American Canyon having experienced relatively matching changes in both population (+32%) and crime (+40%). Second, higher densities generally produce higher crime rates. This point is illustrated by comparing Calistoga and St. Helena given both have relatively similar resident population amounts, but have averaged dramatically different annual crime totals at 30 and 18 reported incidents for every 1,000 residents, respectively. The exceedingly high number of average annual crimes in Calistoga compared to St. Helena appears most attributed to the former's resident density being nearly double the latter.

### • More than Economies of Scale

The municipal service review draws attention to significant geographical distinctions in law enforcement services between the north and south county cities relative to costs, demands, and other key factors: factors that appear fueled in part, *but not exclusively*, by economies of scale (emphasis added). These distinctions include the north county cities — Calistoga and St. Helena — averaging between 60% and 100% more in sworn staffing expenditures and service calls than the two south county cities — American Canyon and Napa — on a per capita measurement. Average clearance rates in the south county cities are also notably higher than their counterparts to the north.

#### LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

#### MUNICIPAL SERVICE REVIEW COUNTYWIDE LAW ENFORCEMENT SERVICES

##### Agencies Evaluated:

City of American Canyon  
City of Calistoga  
City of Napa  
City of St. Helena  
Town of Yountville  
County of Napa

##### Final Report

June 2012

##### Prepared By:



##### Local Agency Formation Commission of Napa County

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Lois Chiles, Chair, City Member  
Brad Waggoner, Vice Chair, County Member  
Juan Brown, Commissioner, City Member  
Bill Davis, Commissioner, County Member  
Brian J. Kelly, Commissioner, Public Member  
Juliana Jones, Alternate Commissioner, City Member  
Mark Lutz, Alternate Commissioner, County Member  
Gregory Rodino, Alternate Commissioner, Public Member

##### Staff

Karen Simons, Executive Officer  
Joceline M. Gung, Counsel  
Brendan Fennan, Staff Analyst  
Kathy Maling, Commission Secretary

## Formal Action...

Napa LAFCO's municipal service review on countywide law enforcement services was approved at a public hearing held on June 4, 2012. Approval of the municipal service review included adopting an accompanying resolution making determinative statements on a range of governance and service factors prescribed for consideration by the California Legislature anytime LAFCO prepares a municipal service review. One particular and key determination was included in response to the conclusions of the municipal service review and for the intended purpose of generating additional discussion within the region on perceived opportunities to improve and sustain local law enforcement service in north county. Specifically, Napa LAFCO adopted a statement encouraging collaboration between Calistoga and St. Helena as it immediately relates to animal control and dispatch with the eventual objective of working towards merging their respective law enforcement services through a joint-authority and/or contracting with a third-party provider, such as the County.



## WHAT ARE ISLANDS?

Islands are county lands that are surrounded by a city and are typically created as a result of leap-frog development. Islands are located throughout California and are often older communities with limited and aging public infrastructure relative to nearby incorporated lands. Most islands were created many decades ago, leaving residents unaware they are in the county and not the city.



## WHAT ARE THE KEY PROBLEMS WITH ISLANDS?

### Disorderly Growth

(inconsistent densities, connectivity)

### Inefficient Public Service

(police, fire, emergency medical)

### Unfunded Demands on Services

(city parks and streets)

### Representation

(non-participation in city elections)



## WHAT TOOLS ARE AVAILABLE TO LAFCOs IN ANNEXING ISLANDS?

In 2000, the Legislature passed special legislation to further empower LAFCOs in proactively annexing unincorporated islands. This special legislation, notably, establishes an expedited annexation process specific to islands and anchored by limiting LAFCO's disapproval authority and waiving protest proceedings so long as certain conditions apply. These conditions are premised on the application being filed by the subject city and include finding that the affected island does not include prime agricultural land and is developed or developing as defined by LAFCO. The Legislature also delegates authority to LAFCOs to define "substantially surrounded" in applying the expedited island annexation proceedings.

# ISLAND ANNEXATION PROGRAM

## NAPA LAFCO TAKES AIM AT ANNEXING 20 ISLANDS IN THE CITY OF NAPA

The California Legislature encourages and empowers LAFCOs through special legislation to partner with cities in proactively eliminating unincorporated "islands" and the governance inefficiencies they perpetuate. Islands are typically older areas that are remnants from earlier leap-frog development in which county lands have been left either entirely or substantially surrounded by a city. Importantly, and to the central public policy issue, islands commonly lack equitable municipal service provision relative to neighboring areas and create additional expenses for both citizens and local governments. Common problems perpetuated by islands include disjointed growth as measured by inconsistent densities and lack of roadway connectivity with adjacent areas, inefficient public service provision and most evident as it relates to police and fire protection, and unfunded demands on city services, such as parks and streets.

Given these policy considerations, Napa LAFCO directed resources in 2012 in establishing its own island annexation program. This program is being developed in coordination with the City of Napa and with the specific intent of eliminating as many of the existing 20 islands that are currently surrounded by the City's incorporated boundary. These islands comprise over 900 properties with an estimated resident population exceeding 2,300.

Napa LAFCO's island annexation program is predicated on achieving action through education; specifically investing resources in educating landowners and residents with respect to the benefits, costs, and related pertinent issues tied to annexation. Accordingly, although empowered to do so under the law, Napa LAFCO is not interested in "forcing" annexation upon non-consenting landowners and residents; rather the program's objective is to engender voluntary annexation applications from landowners and residents.

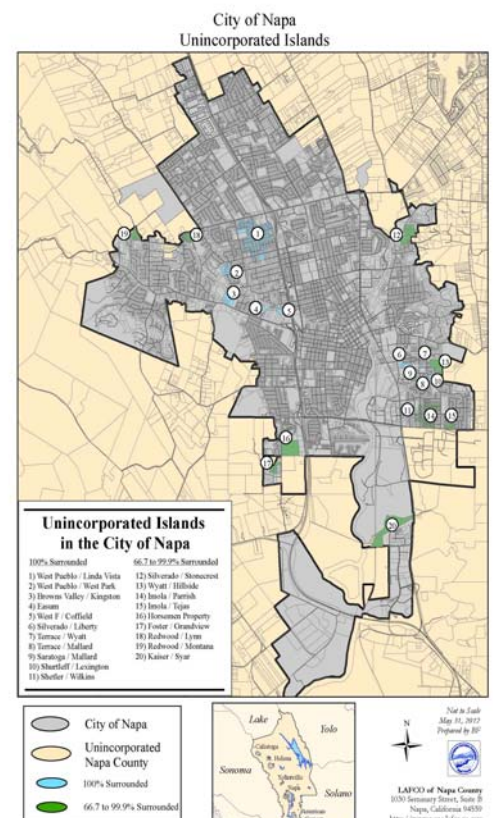
*There are 20 islands in the City of Napa comprising over 900 properties with an estimated population of 2,300.*

Towards this end, and as an additional incentive, Napa LAFCO has waived its application fee to process an island annexation: a minimum savings of \$4,300. Work to date has included mailing informational packets to all 900-plus island landowners/residents within the City as well as making presentations to community stakeholders.

A key focus of Napa LAFCO's current and ongoing efforts to encourage island annexation, importantly, has been aimed at addressing common misconceptions regarding annexation. Arguably the most pertinent and common misconception regarding annexation involves costs with many island landowners and residents believing annexation will generate more expenses. Not true; annexation for most island landowners/residents will actually save money as shown below.

### ANNUAL TAX/SERVICE COSTS BEFORE AND AFTER ANNEXATION

| Category       | Napa              | County            | Difference     |
|----------------|-------------------|-------------------|----------------|
| Paramedic Tax  | \$37.50           | N/A               | (\$37.50)      |
| Storm Fee      | \$12.00           | N/A               | (\$12.00)      |
| Water Charge   | \$530.34          | \$769.08          | \$238.74       |
| Sewer Charge   | \$421.00          | \$421.00          | \$0.00         |
| Garbage Charge | \$395.28          | \$303.72          | (\$91.56)      |
| <b>Totals</b>  | <b>\$1,396.12</b> | <b>\$1,493.80</b> | <b>\$97.68</b> |



# NAPA LAFCO: 49 YEARS AND COUNTING

## CORE POLICY ORIENTATION FOR URBAN-CENTERED DEVELOPMENT LEADS TO MEASURED AND SUSTAINABLE GROWTH

Napa LAFCO was formally established as a subdivision of the State of California on June 1, 1963. Napa LAFCO's initial powers and duties were primarily limited to regulating the establishment and revision of local governmental boundaries. In 1971, the Legislature amended LAFCO law to establish planning powers for the explicit purposes of informing subsequent regulatory actions. This includes — most notably — establishing the requirement LAFCOs designate spheres of influence for all cities and special districts. The pertinent connection underlying this new legislation was the requirement that from 1971 forward all boundary changes must be consistent with the affected agencies' spheres of influence with limited exceptions. More legislative amendments followed over the next several decades with increasing emphasis on expanding LAFCOs' authority and autonomy. These efforts were most recently highlighted by the Cortese Knox Hertzberg Act of 2000; a comprehensive rewrite that includes the following changes:

- Requires LAFCOs to be independent of county government; directs LAFCOs to appoint their own Executive Officers.
- Mandates cities and, if applicable, special districts join counties in funding LAFCOs' annual operating costs.

- Directs LAFCOs to review and update spheres of influence every five years in conjunction with preparing municipal service reviews.

A core and enduring policy orientation of Napa LAFCO since the time of its establishment has been a commitment to urban-centered growth. This commitment is currently memorialized in Napa LAFCO's General Policy Determinations, which serves as the agency's "constitution." This policy document directs Napa LAFCO, among other things, to defer to the County General Plan to determine appropriate sites for urban uses unless special circumstances merit otherwise. This commitment to urban-centered growth is also reflected in overall growth trends in Napa County since Napa LAFCO's establishment in 1963. Markedly, and despite an overall doubling of the population, the percentage of Napa County's population in the unincorporated areas has decreased from 48% to 18% during this period. This trend, importantly, demonstrates that new growth — which advantageously continues and is generally accommodated through boundary changes — has been overwhelming directed away from agricultural and open space lands and into areas best positioned to provide the essential urban services needed to maintain an appropriate quality of life for citizens.

### NAPA LAFCO SINCE 1963...

#### Number of Commissioners

- 34 county members
- 22 city members
- 10 public members

#### Incorporations

- Town of Yountville
- City of American Canyon

#### Special District Formations

- Circle Oaks County Water District
- County Service Area No. 3
- County Service Area No. 4
- Lake Berryessa Resort Improvement
- Los Carneros Water District
- Napa-Berryessa Resort Improvement
- Napa County Regional Parks District
- Silverado Community Services District
- Spanish Flat Water District

#### Notable Boundary Changes

- Approved 515 City Boundary Changes  
- involves 10,500 acres / represents close to one-half of all incorporated lands currently in Napa County

#### Studies (Since 2002)

- 17 Municipal Service Reviews  
- agency, service, or region
- 24 Sphere of Influence Updates

### GOALS INTO ACTION...

An underlying intent of Napa LAFCO's strategic plan is to serve as a performance measurement in reconciling goals with actions. To this end, the strategic plan prescribes the following five implementing strategies for the next two years.

#### Improve Service Efficiencies

- Expand website for online applications and login-based updates
- Prepare cost-analysis to transition agenda packets to electronic tablets

#### Expand Use and Relevance of MSRs

- Establish formal process in soliciting scoping comments on studies
- Conduct scoping workshop for study on the central county region

#### Renew Coordination with Other Agencies

- Present updates to local agencies on current and pending activities

#### Evaluate Regional/Statewide Issues

- Prepare an informational report on private community water systems
- Provide reports on relevant regional agency activities

#### Improve Public's Understanding of LAFCO

- Prepare annual newsletters for agency and public distribution.

## ADOPTION OF FIRST STRATEGIC PLAN

### AGENCY ADOPTS PLAN TO DIRECT RESOURCES OVER THE NEXT TWO YEARS

Napa LAFCO adopted the agency's first strategic plan in 2012. The strategic plan is the byproduct of an earlier workshop discussion and intended to guide the agency's resources over the next two years in a manner consistent with the collective preference of current members. The strategic plan is anchored by a vision statement orienting Napa LAFCO to proactively fulfill its responsibilities in a manner responsive to local conditions.

The strategic plan identifies five near-term goals for Napa LAFCO to accomplish through June 2014. The first goal directs Napa LAFCO to focus its activities — external and internal — on improving service efficiencies. The second goal directs resources to proactively expand the use and relevance of the municipal service reviews. The third goal directs Napa LAFCO to reemphasize partnerships with local agencies in coordinating planning activities. The fourth and fifth goals direct Napa LAFCO to actively participate in regional and statewide discussions impacting local agencies and services as well as improve the public's understanding of the agency and its functions.

A copy of the strategic plan is available by visiting the policy page at [www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov).

# FINANCIAL SNAPSHOT

## MODEST INCREASE IN NAPA LAFCO'S OPERATING EXPENSES IN 2012-2013

Napa LAFCO's annual operating expenses are primarily funded by the County of Napa and the Cities of American Canyon, Calistoga, Napa, St. Helena, and Yountville. State law specifies the County is responsible for one-half of Napa LAFCO's expenses while the remaining amount is to be apportioned among the five cities; the latter of which is determined based on a weighted calculation of population and general tax revenues. Additional funding—typically representing less than one-fifth of the total revenues—is budgeted from application fees and interest on the fund balance.

The adopted operating budget for 2012-2013 represents a modest increase of 1.0% over the previous fiscal year and totals \$432,461. This amount represents the total approved operating expenditures for the fiscal year within Napa LAFCO's three active expense units: salaries/benefits; services/supplies; and capital replacement. The 1.0% increase is primarily tied to Napa LAFCO's current staff support services agreement with the County; an agreement covering employee salaries and benefits as well as legal and accounting services. Budgeted revenues total \$423,650 with nine-tenths tied to new agency contributions. An operating shortfall of (\$8,810) was intentionally budgeted to reduce the funding requirements of local agencies and to be covered by drawing on available reserves; the latter totaling \$118,523 as of July 1, 2012.

| Expenses               | Adopted<br>FY11-12 | Adopted<br>FY12-13 | Change %   |
|------------------------|--------------------|--------------------|------------|
| 1) Salaries/Benefits   | 307,780            | 311,287            | 1.1        |
| 2) Services/Supplies   | 116,559            | 117,243            | 0.6        |
| 3) Capital Replacement | 3,931              | 3,931              | 0.0        |
|                        | <b>\$428,270</b>   | <b>\$432,461</b>   | <b>1.0</b> |

| Revenues                | Adopted<br>FY11-12 | Adopted<br>FY12-13 | Change %   |
|-------------------------|--------------------|--------------------|------------|
| 1) Agency Contributions | 383,101            | 409,574            | 6.9        |
| 2) Application Fees     | 10,000             | 10,000             | 0.0        |
| 3) Interest             | 2,340              | 4,076              | 74.2       |
|                         | <b>\$395,441</b>   | <b>\$423,650</b>   | <b>7.0</b> |

Activity through the end of the first quarter indicates Napa LAFCO is on pace to finish 2012-2013 with an operating surplus of \$2,955; an amount that would represent a significant improvement compared to the (\$8,811) deficit budgeted at the beginning of the fiscal year. This projected improvement in the year-end financial standing is attributed – among other factors – to anticipated savings in budgeted employee health insurance. Further, if these projections prove accurate, Napa LAFCO will be positioned to increase its unreserved fund balance from \$118,523 to \$121,477; a change that would mark the first year-end increase in reserves since 2007-2008.

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